

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**Mark Ruff, et al.,**

**Plaintiffs,**

**Case No. 2:23-cv-2916**

**v.**

**Judge Michael H. Watson**

**Jackson Township, et al.,**

**Magistrate Judge Deavers**

**Defendants.**

**OPINION AND ORDER**

Plaintiffs object to a discovery order, ECF No. 36, and Defendants move to continue mediation until after the Court rules on dispositive motions, ECF No. 65.

Regarding the discovery order, Plaintiffs object that the Magistrate Judge ruled on the parties' discovery dispute without first holding a discovery conference or permitting the parties to file formal motions. ECF No. 36.

Plaintiffs were not deprived of any opportunity to submit their positions to the Magistrate Judge, though. Pursuant to ECF No. 28, the parties were on notice that the Magistrate Judge would not necessarily hold a discovery conference. Rather, she directed the parties to submit the issues via letter briefing to her chambers email address. *Id.* Plaintiffs' counsel acknowledged this direction, responding via email that "the parties agreed to submit copies of emails exchanged with one another that document and describe the outstanding discovery issues and the parties' positions on these issues." ECF No. 37-1.

Plaintiffs' counsel also submitted a fourteen-page letter in reply to Defendants' counsel's position letter. ECF No. 37-3. The Magistrate Judge therefore had everything necessary to rule on the dispute. Neither the procedure nor the substance<sup>1</sup> of the Magistrate Judge's ruling was clearly erroneous or contrary to law, see Fed. R. Civ. P. 72(a), and Plaintiffs' objection is therefore **OVERRULED**.

Next, the Court has reviewed the parties' positions on mediation, ECF Nos. 65, 67, 69, and **GRANTS** Defendants' request to extend the mediation until a date after the Court has ruled on dispositive motions.

The Clerk shall terminate ECF Nos. 36 and 65 as pending motions.

**IT IS SO ORDERED.**



MICHAEL H. WATSON, JUDGE  
UNITED STATES DISTRICT COURT

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<sup>1</sup> Plaintiffs do not argue any of the discovery rulings were substantively clearly erroneous or contrary to law. See ECF No. 36.